

Notice of Allowability	Application No.	Applicant(s)	
	10/705,277	ZEGELIN, CHRIS	
	Examiner	Art Unit	
	Stephen M. D'Agosta	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to a teleconference with the applicant's attorney (late March 2006).
2. ☒ The allowed claim(s) is/are 3,7,10 and 11.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date ____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date ____. 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other ____. |
|---|--|

DETAILED ACTION

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Robert Maier on 3-31-2006:

1. Claims 1, 2, 4-6, 8 and 9 have been cancelled.
2. Claims 3 and 7 were previously allowed (not shown below).
3. Two new claims are added by this examiner's amendment (see below).

Claim 10 (new): In a wireless data communications system wherein mobile units become associated with access points, and wherein association between a mobile unit and an access unit is changed as mobile units move within an area having a plurality of access points, and wherein selection of an access point for association with a mobile unit is made according to selection criteria including a plurality of selection parameters, and wherein said system includes arrangements for determining location of a mobile unit within said area, the improvement wherein said selection parameters include location of said mobile unit when there are a plurality of access points available for association with said mobile unit, wherein said access points are RF Ports associated with a cell controller, and wherein RF Ports perform lower level MAC functions and the cell controller performs higher level MAC functions, including at least association.

Claim 11 (new): In a wireless data communications system wherein mobile units become associated with access points, and wherein association between a mobile unit and an access unit is changed as mobile units move within an area having a plurality of access points, and wherein selection of an access point for association with a mobile unit is made according to selection criteria including a plurality of selection parameters, and wherein said system includes arrangements for determining direction of change of a mobile unit within said area, the improvement wherein said selection parameters includes direction of change of location of said mobile unit when there are a plurality of access points available for association with said mobile unit, wherein said access points are RF Ports associated with a cell controller, and wherein RF Ports perform lower level MAC functions and the cell controller performs higher level MAC functions, including at least association.

Based on this examiner's amendment, these four claims (eg. 3, 7, 10 and 11) will be renumbered as claims 1, 2, 3 and 4.

The examiner notes that the applicant's access point presents a novel design:

Applicant has added claims 10 and 11 which rewrite claims 2 and 6 in independent form by incorporating all the limitations from the claims upon which claims 2 and 6 depend. In accordance with the Examiner's suggestions, claims 10 and 11 further clarify the functions of the "RF ports" and "cell controllers" recited in the claim. As discussed in the specification at paragraph [0004] and further in the co-pending application serial no. 09/528,697 which is incorporated into this application by reference, Applicant's inventive system uses a combination of RF ports and a cell controller to perform the function of traditional access points. In the inventive system, multiple "dumb" access points (i.e., "RF ports") are coupled with a single cell controller. The RF Ports only perform lower level MAC functions, while the higher level MAC functions, such as association and roaming, are performed by the cell controller. The result is that the RF Port hardware (which replaces access points in a conventional wireless network) is substantially simplified and thus less expensive. The art cited does not disclose or suggest

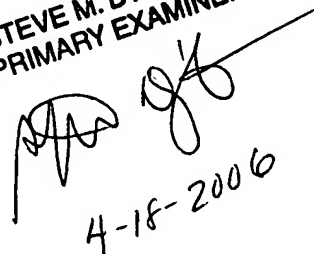
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen M. D'Agosta whose telephone number is 571-272-7862. The examiner can normally be reached on M-F, 8am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bill Trost can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

STEVE M. D'AGOSTA
PRIMARY EXAMINER


4-18-2006